

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

LOU ALDRIDGE ULMER

PLAINTIFF

v.

CIVIL ACTION NO. 2:20-cv-165-TBM-MTP

UNITED STATES OF AMERICA

DEFENDANT

CONSOLIDATED WITH

ALMA J. FRAZIER

PLAINTIFF

v.

CIVIL ACTION NO. 2:20-cv-202-TBM-MTP

UNITED STATES OF AMERICA

DEFENDANT

ORDER

This matter came before the Court on Defendant's Motion [77] to Limit Plaintiffs' Ad Damnum Clause; Plaintiffs' Second Motion [79] for Partial Summary Judgment as to liability; Plaintiffs' Motion [81] for Summary Judgment as to Defendant's Sixth, Ninth, and Twelfth affirmative defenses; Plaintiffs' Motion [83] to Exclude and Strike testimony of Kevin Bundy; Plaintiffs' Motion [85] to Exclude and Strike testimony of Officer Spencer Richardson; Plaintiffs' Motion [102] to Strike Declaration of Captain Spencer Richardson; and Plaintiffs' Motion [103] to Strike portions of Defendant's response in opposition to Plaintiffs' renewed Motion for Partial Summary Judgment. At the hearing conducted in this matter on June 8, 2022, the Court, having considered the pleadings, the record, the oral arguments of counsel, and the relevant legal authority, announced on the record its detailed findings and conclusions concerning each motion ruled upon.

IT IS THEREFORE, ORDERED AND ADJUDGED that for the reasons stated on the record held at the hearing held on June 8, 2022, the Defendant's Motion [77] to Limit Plaintiffs' Ad Damnum Clause is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiffs' Second Motion [79] for Partial Summary Judgment as to liability is DENIED.

IT IS FURTHER ORDERED that Plaintiffs' Motion [81] for Summary Judgment as to Defendant's Sixth, Ninth, and Twelfth affirmative defenses is GRANTED in part and DENIED in part. Plaintiffs' Motion is GRANTED as to the Ninth and Twelfth defenses and DENIED as to the Sixth defense.


IT IS FURTHER ORDERED that Plaintiffs' Motion [83] to Exclude and Strike testimony of Kevin Bundy is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiffs' Motion [85] to Exclude and Strike testimony of Officer Spencer Richardson is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Plaintiffs' Motion [102] to Strike Declaration of Captain Spencer Richardson is DENIED.

IT IS FURTHER ORDERED that Plaintiffs' Motion [103] to Strike portions of Defendant's response in opposition to Plaintiffs' renewed Motion for Partial Summary Judgment is DENIED.

THIS, the 9th day of June, 2022.


TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE